

Int'l Appln. No.: PCT/FR2004/03104
Customer No. 24498

PATENT
PF030187

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Philippe LE ROY, Christophe PRAT
US Serial No. : 10/583845
Int'l Appln. No. : PCT/FR2004/03104
Int'l Appln. Filed : 02 December 2004
For : IMAGE DISPLAY SCREEN AND METHOD OF ADDRESSING
SAID SCREEN

FURTHER PETITION UNDER 37 CFR 1.47(a)
FILING WHEN INVENTOR CANNOT BE REACHED

Mail Stop: PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

**FIRSTLY: PLEASE MAKE SURE THAT YOU HAVE THE CORRECT
"CUSTOMER NUMBER" FOR OUR ACCOUNT. THE CORRECT NUMBER IS "24498".**

This is in response to the DISMISSAL NOTICE concerning our Petition made pursuant to 37 CFR § 1.47(a) for filing of the subject patent application by Philippe Le Roy on behalf of himself and Christophe Prat on behalf of himself as joint inventors. Fabien Ammardji was located but he will not execute the Declaration and Assignment documents as explained in our Petition dated November 6, 2008. (Copy of the DISMISSAL NOTICE is attached)

In order to comply with the requirements of the Dismissal Notice, the following documents are hereby submitted:

1. Additional "Declaration of Florence Pac" dated March 6, 2009
2. Copies of two (2) further attempts to obtain the signatures on the Declaration and Assignment documents from Fabien Ammardji. (One request was sent by e-mail on February 24, 2009 and one request was sent by mail dated February 24, 2009. These attempts have been translated into English and show that a copy of the application, claims and drawings were supplied with these requests to Fabien Ammardji).
3. Also, an additional Google people search was requested, translated and is attached.

It is submitted that the documents previously submitted on November 6, 2008 and the above documents indicate a diligent but unsuccessful effort to obtain the signature of Fabien Ammardji.

It is respectfully submitted, therefore, that despite diligent effort, Mr. Fabien Ammardji will not execute the Declaration and Assignment documents. Pursuant to 37 CFR § 1.47(a), it is respectfully requested that the present Petition be granted, that the enclosed Declaration and Assignment documents executed only by Philippe Le Roy and Christophe Prat be accepted as satisfying the requirements of 37 CFR § 1.497(a) and (b), and that the subject Patent Application be made by Philippe Le Roy and Christophe Prat on behalf of themselves and the nonsigning inventor Fabien Ammardji.

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in a postage paid envelope addressed to: Mail Stop: PCT Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date indicated.


Date: March 10, 2009 Signature: David A. Fornalotto

Int'l Appln. No.: PCT/FR2004/03104
Customer No. 24498

PATENT
PF030187

As per the DISMISSAL NOTICE no additional petition fee is required. However, if there are any additional costs, please charge them to deposit account 07-0832.

Respectfully submitted,
Philippe LE ROY
Christophe PRAT

By: 
Jeffrey M. Navon, Attorney
Registration No.: 32,711
(609) 734-6823

THOMSON Licensing LLC
Patent Operations
PO Box 5312
Princeton, NJ 08543-5312

Date: *March 10, 2009*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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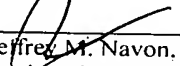
Date: March 10, 2009 Signature: David J. Fennell

Int'l Appln. No.: PCT/FR2004/03104
Customer No. 24498

PATENT
PF030187

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Philippe LE ROY
Christophe PRAT

By: 
Jeffrey M. Navon, Attorney
Registration No.: 32,711
(609) 734-6823

THOMSON Licensing LLC
Patent Operations
PO Box 5312
Princeton, NJ 08543-5312

Date: *March 10, 2009*



16 JAN 2009

UNITED STATES PATENT AND TRADEMARK OFFICE

4074

PF030187

PAV/BROWAEYS

61214
FOX ROTHSCHILD, LLP
Elan Pharma International Limited
2000 Market Street
Philadelphia, PA 19103

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JAN 21 2009

FOX ROTHSCHILD LLP

In re Application of
LE ROY *et al*

U.S. Application No.: 10/583,815

PCT No.: PCT/FR2004/003104

Int. Filing Date: 02 December 2004

Priority Date: 13 December 2004

Attorney Docket No.: PF030187

For: IMAGE DISPLAY SCREEN AND
METHOD FOR ADDRESSING SAID
SCREEN

Event	PETN 37 CFR 1.47(A)
Deadline	14/03/09
Entered	R: 02/02/09

DECISION

This decision is in response to applicants' petition under 37 CFR 1.47 filed 10 November 2008.

BACKGROUND

On 11 June 2008, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) and a surcharge fee was required. Applicants were given two months to respond with extensions of time available.

On 10 November 2008, applicants filed a petition under 37 CFR 1.47(a) which was accompanied by, *inter alia*, a \$200.00 petition fee; a two-month extension fee; a \$130.00 surcharge fee; a declaration signed by two of the three named inventors; required fees; a declaration of Florence Pac; and other documentary evidence (with accompanying English translations when required) in support of the petition.

DISCUSSION

Applicants claim that joint inventor Fabian Ammardji refuses to cooperate in the above-captioned application and filed the subject petition in response to the Form PCT/DO/EO/905 mailed 11 June 2008.

It is first noted that a three-month extension of time is required since the petition was not filed until 10 November 2008. The three-month extension fee of \$1,110 has been charged to Deposit Account No. 07-0832 as authorized. The two-month extension fee of \$490.00 has been credited back to counsel's Deposit Account.

10/583,845

A petition under 37 CFR 1.47(a) requires: (1) the petition fee; (2) factual proof that the missing joint inventor cannot be located or refuses to cooperate; (3) a statement of the last known address of the nonsigning joint inventor; (4) and an oath or declaration executed by the signing joint inventor on their behalf and on behalf of the nonsigning joint inventor. Item (2) is not yet complete.

Regarding item (2), the 37 CFR 1.47(a) applicants' burden in showing that an inventor refuses to cooperate is explained in section 409.03(d) of the MPEP, *II. Refusal to Join*. Several pertinent segments are listed below:

A refusal by an inventor to sign an oath or declaration when the inventor has not been presented with the application papers does not itself suggest that the inventor is refusing to join the application unless it is clear that the inventor understands exactly what he or she is being asked to sign and refuses to accept the application papers. A copy of the application papers should be sent to the last known address of the non-signing inventor, or, if the nonsigning inventor is represented by counsel, to the address of the nonsigning inventor's attorney . . .

Where a refusal of the inventor to sign the application papers is alleged, the circumstances of the presentation of the application papers and of the refusal must be specified in a statement of facts by the person who presented the inventor with the application papers and/or to whom the refusal was made . . .

Petitioners provided a copy of an email from the nonsigning inventor dated 03 July 2008 requesting compensation for his signature on patent documents. This may constitute a written refusal to cooperate. However, in order for the refusal to be accepted, petitioners must show that Mr. Ammardji was provided (or an attempt was made to provide) a complete copy of the subject application.

Here, the 37 CFR 1.47(a) applicants have not demonstrated that a complete copy of the application including specification, claims and drawings were sent to Mr. Ammardji. The declaration by Ms. Pac and accompanying exhibits show only that a declaration was provided to Mr. Ammardji. Petitioners must show that at a minimum, an attempt was made to present the application papers to the nonsigning inventor for a refusal to be accepted.

For this reasons, item (2) of 37 CFR 1.47(a) is not yet satisfied.

CONCLUSION

Applicants' petition under 37 CFR 1.47(a) is DISMISSED without prejudice.

10/583,845

If reconsideration on the merits of this petition is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time are available. No additional petition fee is required.

Any further correspondence with respect to this matter may be filed electronically via the USPTO EFS-Web or if mailed addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

A handwritten signature in cursive script that reads "James Thomson".

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

PATENT COOPERATION TREATY
IN THE UNITED STATES RECEIVING OFFICE (RO/US)

Applicant : Philippe LE ROY, Christophe PRAT, Fabien AMMARDJI
U.S. Serial No: 10/583845
Int'l PCT No. PCT/FR2004/03104
Int'l Filing Date: 02 December 2004

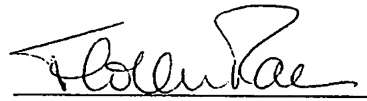
For : IMAGE DISPLAY SCREEN AND METHOD OF ADDRESSING SAID
SCREEN

DECLARATION OF FLORENCE PAC

I, Florence Pac, declare as follows:

1. I am currently employed by the applicant Thomson Licensing and am working in Thomson Licensing's French company, located in Rennes, France;
2. I am responsible for the duties of filing and maintaining the applications for Thomson Licensing; including the above-identified docket, PF030187. These duties include filing applications, handling the preparation of forms (Declarations and Assignments), obtaining the signatures of the inventors on these forms and filing documentation;
3. I have attempted (three) 3 times to contact Mr. Fabien AMMARDJI in order to have him sign the required US Declaration and Assignment forms for this case. (Evidence of these attempts are attached (and have been translated into English.))
4. I have prepared a "Google" search to locate the inventor "Mr. Fabien AMMARDJI". However, we still have not located him. (Copy attached)
5. All statements made herein to my knowledge are true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful statements may jeopardize the validity of the Application or any patent issued thereon.

March, 6th, 2009
Date


Florence Pac

Pac Florence

From: Pac Florence
Sent: jeudi 5 mars 2009 14:16
To: 'ammardji.fabien@free.fr'
Subject: FW: Demande de brevet PF030187
Attachments: PF030187_Ass US.DOC.ZIP; PF030187_Decl US.DOC.ZIP;
EP_EPT_20060530_PF030187_WO30.doc.zip;
EP_EPT_20060530_PF030187_drawings.pdf.zip

Bonjour,

Je me permets de vous relancer concernant la signature des documents joints. Votre signature est nécessaire afin de finaliser les formalités de dépôt auprès de l'Office Américain des Brevets. Pour votre information, vous trouverez joint à cet e-mail le texte, l'abrégé et les dessins de la demande de brevet. Je vous remercie de nous retourner les documents joints datés et signés **avant le 12 mars 2009**. N'hésitez pas à me contacter pour des informations complémentaires. Je vous remercie de votre coopération.

Cordialement.
Florence Pac
European Patent Operations
Tel : + 33 2 99 27 32 70

From: Pac Florence
Sent: mardi 24 février 2009 17:18
To: 'ammardji.fabien@free.fr'
Subject: Demande de brevet PF030187

Titre de l'invention : IMAGE DISPLAY SCREEN AND METHOD OF ADDRESSING SAID SCREEN

Bonjour,

Afin de régulariser les formalités de dépôt auprès de l'Office US, je vous remercie de me retourner les documents joints **avant le 2 mars 2009**. Vous trouverez également joint à cet e-mail le texte, les revendications, l'abrégé et les dessins de la demande de brevet. Si vous souhaitez des informations complémentaires, n'hésitez pas à me contacter au 02 99 27 32 70. Dans l'attente d'une réponse de votre part.

Cordialement.
Florence Pac
European Patent Operations
THOMSON R&D France SNC
1 avenue Belle Fontaine
F-35510 CESSON SEVIGNE
Tel : +33 2 99 27 32 70
Fax : +33 2 99 27 35 00

05/03/2009

Pac Florence

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Sent: Thursday 5 March 2009 14:16
To: 'ammardji.fabien@free.fr'
Subject: FW: Patent Application PF030187
Attachments: PF030187_Ass US.DOC.ZIP; PF030187_Decl US.DOC.ZIP;
EP_EPT_20060530_PF030187_WO30.doc.zip;
EP_EPT_20060530_PF030187_drawings.pdf.zip

Hello,

I'm afraid I need to pester you again about signing the attached documents. Your signature is necessary for the filing formalities to be finalized with the American Patent Office. For your information, please find attached to this e-mail the text, abstract and drawings of the patent application. I would appreciate it if you would return the attached documents dated and signed **before March 12, 2009**. Please don't hesitate to contact me if you would like additional information.

Thank you for your cooperation.

Cordially,

Florence Pac
European Patent Operations
Tel: +33 2 99 27 32 70

From: Pac Florence
Sent: Tuesday 24 February 2009 17:18
To: 'ammardji.fabien@free.fr'
Subject: Patent Application PF030187
Title of the invention: IMAGE DISPLAY SCREEN AND METHOD OF ADDRESSING SAID SCREEN

Hello,

In order to finalize the filing formalities with the US Office, I would appreciate it if you would return the attached documents to me **before March 2, 2009**. Also please find attached to this e-mail the text, claims, abstract and drawings of the patent application.

If you would like any additional information, don't hesitate to contact me at 02 99 27 32 70.

Looking forward to your response, I remain

Cordially yours,

Florence Pac
European Patent Operations
THOMSON R&D France SNC
1 avenue Belle Fontaine
F-35510 CESSON SEVIGNE
Tel: +33 2 99 27 32 70
Fax: +33 2 99 27 35 00

Florence Pac
European Patent Operations
Tel : 33 (0)2 99 27 32 70
Fax : 33 (0)2 99 27 35 00
Email : florence.pac@thomson.net

Fabien AMMARDJI
20 rue de Bellevue
35400 SAINT MALO

Rennes, le 24 février 2009

N/Ref : PF030187

Demande de brevet "IMAGE DISPLAY SCREEN AND METHOD OF ADDRESSING SAID SCREEN"

Bonjour,

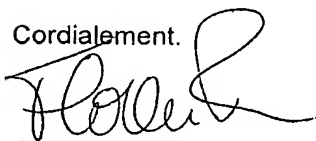
Vous êtes cité comme co-inventeur dans la demande de brevet mentionnée ci-dessus. Cette demande de brevet a été déposée aux USA. Afin de régulariser les formalités de dépôt, je vous remercie de me retourner datés et signés les documents de Cession et Déclaration joints avant le 2 mars 2009.

Pour votre information, je joins le texte, les revendications, l'abrégé et les dessins de la demande de brevet.

Vous trouverez joint à ce courrier une enveloppe timbrée pour le retour des documents.

N'hésitez pas à me contacter pour des informations complémentaires.

Cordialement.



Florence Pac
THOMSON R&D France SNC
European Patent Operations
1 avenue Belle Fontaine / CS17616
F-35576 Cesson-Sévigné Cedex
Tel : + 33 2 99 27 32 70 / Fax : + 33 2 99 27 35 00

THOMSON
Images & beyond

Florence Pac
European Patent Operations
Tel: 33 (0)2 99 27 32 70
Fax: 33 (0)2 99 27 35 00
Email: florence.pac@thomson.net

Fabien Ammardji
20 rue de Bellevue
35400 Saint Malo

Rennes, 24 February 2009

Our Ref.: PF030187

Patent application: "IMAGE DISPLAY SCREEN AND METHOD OF ADDRESSING SAID SCREEN"

Hello,

You are cited as co-inventor in the patent application mentioned above. This patent application has been filed in the USA. In order that we may finalize the filing formalities, I would appreciate it if you would return the enclosed Assignment and Declaration documents to me, dated and signed, **before March 2, 2009**.

For your information, I am enclosing the text, claims, abstract and drawings of the patent application.

You will find enclosed with this letter a stamped envelope for returning the documents.

Please don't hesitate to contact me if you need additional information.

Cordially,

[illegible signature]

Florence Pac
THOMSON R&D France SNC
European Patent Operations
1 avenue Belle Fontaine / CS17616
F-35576 Cesson-Sévigné Cedex
Tel: +33 2 99 27 32 70 / Fax: +33 2 99 27 35 00

Thomson
46, quai A. Le Gallo – 92648 Bologne Cedex – France
Tel. +33 (0)1 41 86 50 00 • Fax +33 (0)1 41 86 58 59
www.thomson.net

S.A. with capital of 1,024,905,120 Euros
Registered offices: 46, quai A. Le Gallo
92100 Boulogne-Billancourt
RCS Nanterre 333 773 174

[front of envelope]

THOMSON

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35576 Cesson-Sévigné Cedex

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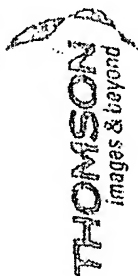
[handwritten address:]

Fabien Ammardji
20 rue de Bellevue
35400 S. Malo



1 avenue de belle fontaine - CS 17616
35576 Cesson-Sévigné Cedex

CESSON S. EDIS
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E983 350990



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002,18
LA POSTE
NC 502987

5

Fabien AMARÉD
Zone de Belleme
35400 S'NAU

Pac Florence

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Sent: mardi 24 février 2009 17:18
To: 'ammardji.fabien@free.fr'
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Dans l'attente d'une réponse de votre part.

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Fax : +33 2 99 27 35 00

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Looking forward to your response, I remain

Cordially yours,

Florence Pac
European Patent Operations
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1 avenue Belle Fontaine
F-35510 CESSON SEVIGNE
Tel: +33 2 99 27 32 70
Fax: +33 2 99 27 35 00

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Résultats 1 - 4 sur 4 pour "Fabien AMMARDJI". (0,49 secondes)

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Applicant: 1)THOMSON LICENSING Inventor: 1)PHILIPPE LE ROY 2)CHRISTOPHE PRAT 3)

FABIEN AMMARDJI No of Pages : 34 No of Claims : 13 ...

india.bigpatents.org/patent/search?query=screen - 73k - [En cache](#) - [Pages similaires](#)

[India BigPatents -- "IMAGE DISPLAY SCREEN AND METHOD OF ADDRESSING ... - \[Traduire cette page \]](#)

Inventor. 1)PHILIPPE LE ROY 2)CHRISTOPHE PRAT 3)FABIEN AMMARDJI No of Pages : 34 No of Claims : 13. International Info. Classification: G09G 3/32 ...

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["IMAGE DISPLAY SCREEN AND METHOD OF ADDRESSING SAID SCREEN ... - \[Traduire cette page \]](#)

1)PHILIPPE LE ROY 2)CHRISTOPHE PRAT 3)FABIEN AMMARDJI. Abstract:. The invention concerns a display screen including: light emitters (4) distributed in rows ...

www.tmpsearchers.com/patdb/details.php?pid=2037&tab_name=patents_2007 -

[Pages similaires](#)

[Image display screen invention - \[Traduire cette page \]](#)

Inventors: Philippe Le Roy, Christophe Prat, Fabien Ammardji USPTO Applicaton #:

20080093994 - Class: 3151691 (USPTO) The Patent Description & Claims data ...

www.freshpatents.com/Image-display-screen-dt20080424ptan20080093994.php -

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"Fabien AMMARDJI"

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Results 1 – 4 of 4 for "Fabien AMMARDJI". (0.49 seconds)

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[India BigPatents -- "IMAGE DISPLAY SCREEN AND METHOD OF ADDRESSING ...](#) - [[Traduire cette page](#)]

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34 No of Claims : 13. International Info. Classification: G09G 3/32 ...

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["IMAGE DISPLAY SCREEN AND METHOD OF ADDRESSING SAID SCREEN ...](#) - [[Traduire cette page](#)]

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www.tmpsearchers.com/patdb/details.php?pid=2037&tab_name=patents_2007 -

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[Image display screen invention](#) - [[Traduire cette page](#)]

Inventors: Philippe Le Roy, Christophe Prat, Fabien Ammardji USPTO Applicaton #:

20080093994 - Class: 3151691 (USPTO) The Patent Description & Claims data ...

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